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10/561,100

12/17/2005

Paul Newman

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EXAMINER

HUNNINGS, TRAVIS R

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

04/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|---------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/561,100 | Applicant(s) NEWMAN ET AL. | |
| | Examiner TRAVIS R. HUNNINGS | Art Unit 2612 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 is/are allowed.
- 6) ☒ Claim(s) 2, 3 and 5-9 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 8, it is unclear how the claimed 'wireless link' is able to 'display' anything and one of ordinary skill in the art would not have understood how a 'wireless link' would be able to display anything.

The claim will be interpreted as the device itself is able to display the status lights unrelated to the wireless link. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 2, 3, 5, 7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Genco (Internation Publication WO 98/59229).

Regarding claim 2, Genco discloses *Pod Monitor For Use In A Controlled Environment* that has the following claimed limitations:

The claimed top part, a cylinder in communication with said top part, a bottom part in communication with said cylinder is met by the Pod (10) as can be seen in figures 1 and 4, having a generally round shape with a cylindrical body and both a top and bottom portion attached to the cylindrical body;

The claimed control unit in communication with said cylinder is met by the logging device (18) as seen in figures 1 and 4 (page 5, lines 6-25);

The claimed wireless link in communication with said control unit is met by the logging device (18) transmitting data (page 5, lines 6-25).

Regarding claim 3, the claimed top part and bottom part are the same circular shape as the silicon wafer transfer pods is met by the top and bottom part being a transfer pod itself and therefore inherently being the same shape as a silicon wafer transfer pod as seen in figures 1 and 4.

Regarding claim 5, the claimed top part, bottom part and cylinder accompany silicon wafers in the transfer pods throughout a manufacturing process is met by the top part, bottom part and cylinder being a transfer pod itself and going through the process (page 1, lines 8-11).

Regarding claim 7, the claimed control unit is configured to detect any change in the environment of the silicon wafer transfer pods is met by the device monitoring the environment inside the pod (page 3, lines 2-12).

Regarding claim 9, the claimed cylinder housing sensor equipment is met by the sensor bundle (28) inside the pod as seen in figure 1 (page 5, lines 26-31).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Genco in view of Suzuki et al. (Suzuki; US Patent Application Publication 2002/0124906).

Regarding claim 6, Genco does not specifically disclose the claimed cylinder being configured to draw in air to a conventional particle detector. Suzuki discloses *Substrate Transport Apparatus, Pod And Method* that teaches a humidity sensor for detecting the humidity of the environment inside the pod (paragraph 269) and a device for drawing in air for controlling the humidity of the environment (paragraphs 132 and 133). Adding a humidity sensor and device for drawing in air for controlling the humidity of the interior of the pod would further allow the user to control the environment for the

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silicon wafers and provide a more stable transport method. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Genco according to the teachings of Suzuki to include a device to draw air in to the device for controlling humidity and inherently therefrom to the included humidity sensor.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Genco in view of Freed et al. (Freed; US Patent Application Publication 2004/0267501).

Regarding claim 8, Genco does not specifically disclose the claimed wireless link being configured to display warning, flow, or failure status lights when there is a change in the environment of the silicon wafer transfer pods. Freed discloses *Sensor Apparatus Management Methods And Apparatus* that teaches a display of LEDs for status information of a sensor (paragraph 34). Adding a display for status information of the sensors of Genco would allow the user to quickly determine if there was a problem with the pod itself. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Genco according to the teachings of Freed to include status lights for indicating the status of the sensors for the pod.

Allowable Subject Matter

8. Claim 10 is allowed.

9. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAVIS R. HUNNINGS whose telephone number is (571)272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George A. Bugg can be reached on (571) 272-2998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/George A Bugg/
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